

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**LISTING OF CLAIMS:**

1. (Original) A thermal recording material comprising a heat-sensitive recording layer formed on a support and color-developed by heat, and a protective layer formed on the heat-sensitive recording layer and ~~mainly composed of~~ comprising a resin emulsion (a),

wherein, (1) the resin emulsion (a) comprises a copolymer resin emulsion (b) containing (meth)acrylonitrile and a vinyl monomer copolymerizable therewith, and having an SP value (solubility parameter) of 12.0 or more, a glass transition temperature (T<sub>g</sub>) of 10 to 70°C, and a minimum film-forming temperature (MFT) of 5°C or less, and a polyolefin copolymer resin emulsion (c),

(2) 1 to 10 parts by weight of vinyl monomers having a carboxyl group is comprised in 100 parts by weight of the solid content of the copolymer resin emulsion (b), and

(3) the protective layer does not contain a crosslinking agent.

2. (Original) The thermal recording material according to claim 1, wherein a solid content weight ratio of the copolymer resin emulsion (b)/the polyolefin copolymer resin emulsion (c) in the resin emulsion (a) is in a range from 100/10 to 100/0.5.

3. (Currently Amended) The thermal recording material according to claim 1 or 2, wherein the polyolefin copolymer resin emulsion (c) is at least one selected

from the group consisting of a homopolymer of an  $\alpha$ -olefin having 2 to 16 carbon atoms and a copolymer of two or more of the  ~~$\alpha$ -olefins~~  $\alpha$ -olefins.

4. (New) The thermal recording material according to claim 1, wherein the polyolefin copolymer resin emulsion (c) is at least one selected from the group consisting of a homopolymer of an  $\alpha$ -olefin having 2 to 16 carbon atoms and a copolymer of two or more of the  $\alpha$ -olefins.